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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,645

04/11/2007

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EXAMINER

TILLERY, RASHAWN N

ART UNIT

PAPER NUMBER

2174

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/582,645	<b>Applicant(s)</b> COHEN, MICHAEL	
	<b>Examiner</b> RASHAWN TILLERY	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is responsive to the Amendment filed 12/03/2008.
2. Claims 1-17 are pending in this application. Claims 1 and 11 are independent claims. In the instant Amendment, claims 3-10 and 13-17 were amended. This action is made Final.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims, 1-9 and 11-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwartz et al ("Schwartz", US 2005/0039139).

Regarding claim 1, Schwartz discloses, in Figure 7, a device comprising a memory (704) and a processing unit (610) for displaying information on at least one screen, comprising:

first display means (702a) for displaying at least two display areas (400 and 500), such as a frame or a window, on the screen,

second display means (702b) for displaying inside one of the display areas selectable information objects (402) about which further information (404) is available (see page 3, paragraphs [0043]-[0046] where the workstation objects and selection windows are discussed),

selection means for selecting one of the selectable information objects (see page 5, paragraph [0058] where the selection window is discussed),

choosing means for choosing a displayed display area and/or screen in which the further information relating to the selected information object will be displayed (see page 2, paragraph [0027] and page 4, paragraph [0054]).

Regarding claim 2, Schwartz discloses the further or background information can be retrieved from the memory by the selection means (see page 4, paragraph [0054]).

Regarding claim 3, Schwartz discloses at least one information object is displayed recognizably on the screen (see page 2, paragraph [0027]).

Regarding claim 4, Schwartz discloses the display area to be chosen comprises an already opened display area (see fig 7, 400 and 500).

Regarding claim 5, Schwartz discloses the choosing means comprise means for displaying a context menu (see fig 9, #800).

Regarding claim 6, Schwartz discloses the choosing means comprise means for displaying selectable icons (see fig 4, "controls" 414, 416, 418).

Regarding claim 7, Schwartz discloses a choice can be made, by means of the choosing means, the context menu or the icons, as to in which already displayed area the further information will be displayed (see fig 9, #800).

Regarding claim 8, Schwartz discloses a display area to the right or left adjacently of the current display area is designated by means of the choosing means, the context menu or the icons (see fig 5, 400).

Regarding claim 9, Schwartz discloses a display area above or below the current display area is designated by means of the choosing means, the context menu or the icons (see fig 9, 800).

Regarding claim 11, Schwartz discloses, in Figure 7, a method for determining a second display area (500) for displaying further information (404) relating to an information object (402) by means of a device comprising a memory (704) and a processing unit (610) for displaying information on at least one screen (702), comprising steps for:

- displaying at least two display areas (400 and 500), such as a frame or a window, on a screen,

- displaying inside one of the display areas selectable information objects (402) about which further information (404) is available,

- selecting an information object (402) in a first display area (400),

- displaying choosing means (see fig 9, #800; also see page 4, paragraph [0055] to page 6, paragraph [0056] where the selection window is discussed),

- choosing a display area and/or a screen in which the further information relating to the selectable information object will be displayed (see page 2, paragraph [0027] and page 4, paragraph [0054]),

- displaying the further information in the chosen display area (see page 2, paragraph [0027]).

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Regarding claim 12, Schwartz discloses the step for displaying the choosing means comprises steps for displaying a context menu (see fig 9, #800).

Regarding claim 13, Schwartz discloses the steps for displaying choosing means or for displaying a context menu comprise steps for displaying selectable icons (see fig 4, "controls" 414, 416, 418).

Regarding claim 14, Schwartz discloses a choice can be made by means of the choosing means, the context menu, the icons or auditively in which already displayed display area the further will be displayed (see fig 9, #800).

Regarding claim 15, Schwartz discloses by means of the choosing means, the context menu or the icons a display area is designated adjacently to the right, adjacently to the left, adjacently above or below the current display area (see fig 5, 400).

Regarding claim 16, Schwartz discloses data carrier comprising a computer program which, when executed by means of a processing unit, can perform a method as claimed in claim 11 (see paragraphs [0066]-[0067]).

Regarding claim 17, Schwartz discloses software for performing a method as claimed in claim 11 by means of a computer (see paragraphs [0066]-[0067]).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz in view of Yasuda (US 5974384).

Regarding claim 10, Schwartz does not expressly disclose the choosing means are adapted to interpret auditive or spoken commands. However, such features are well known in the art. For instance, Yasuda teaches a display device that allows user to control windows using voice-input commands (see col. 3, line 41 to col. 4, line 67). It would have been obvious to an artisan at the time of the invention to include Yasuda's teachings in Schwartz's user interface in an effort to improve control efficiency and thus saving user time.

### ***Response to Arguments***

7. Applicant's arguments filed 12/3/2008 have been fully considered but they are not persuasive.

Regarding Applicant's arguments concerning Schwartz failing to disclose a choosing means as claimed in claim 1, the Examiner respectfully disagrees. Examiner notes that no where in Applicant's claim language it is recited that "the user is prompted by a 'choosing means' (screen-like context menu) and must choose which frame/window to display the information related to the selected object" as alleged in the arguments.

Regarding Applicant's arguments concerning Schwartz failing to disclose a choosing means as claimed in claim 11, the Examiner respectfully disagrees. Examiner notes that no where in Applicant's claim language it is recited that "a

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user is presented with a choice to determine where information related to a selected object is to be displayed” as alleged in the arguments.

Applicant's arguments, see the 3<sup>rd</sup> section on page 5, filed 12/3/2008, with respect to claims 4-10 and 14-17 have been fully considered and are persuasive. The objection of the claims has been withdrawn.

### ***Conclusion***

**8. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquiries***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHAWN TILLERY whose telephone

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number is 571-272-6480. The examiner can normally be reached on M-F 8:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RNT

/Adam L Basehoar/

Primary Examiner, Art Unit 2178